

1 McGREGOR W. SCOTT
2 United States Attorney
3 BOBBIE J. MONTOYA
4 Assistant U. S. Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814-2322
7 Telephone: (916) 554-2700

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9 Attorneys for Defendant

10
11 IN THE UNITED STATES DISTRICT COURT
12
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 ROBERT B. BLUM,

15 Plaintiff,

v.

16 JO ANNE B. BARNHART,
17 Commissioner of
18 Social Security,

19 Defendant.

20 CASE NO. **2:04-CV-00911-KJM**

21 STIPULATION AND [proposed]
22 ORDER SETTLING ATTORNEY'S
23 FEES AND COSTS PURSUANT TO
24 THE EQUAL ACCESS TO JUSTICE
25 ACT

26 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
27 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
28 Equal Access to Justice Act (EAJA) in the amount of FIVE THOUSAND SIX HUNDRED AND
00/100 DOLLARS (\$5,600.00), and costs in the amount of ONE HUNDRED FIFTY AND 00/100
DOLLARS (\$150.00), said amounts together representing compensation for legal services rendered
on behalf of Plaintiff by her attorney in accordance with 28 U.S.C. § 2412(d).

29 This stipulation constitutes a compromise settlement of counsel for Plaintiff's request for all
30 fees, costs, and expenses under the EAJA, and does not constitute an admission of liability on the part
31 of Defendant under the EAJA. Payment in the amount of FIVE THOUSAND SIX HUNDRED AND
32 00/100 DOLLARS in fees (\$5,600.00) and ONE HUNDRED FIFTY AND 00/100 DOLLARS
33 (\$150.00) in costs, shall constitute a complete release from and bar to any and all claims counsel for
34 Plaintiff may have relating to EAJA fees, costs, and expenses in connection with this action, but such

1 award will not prejudice any future request for attorney's fees under the Social Security Act, 42
2 U.S.C. § 406(b).

3 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this
4 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes
5 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing
6 password, pursuant to Local Rule 7-131.

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8 DATED: January 5, 2006

/s/ Ann M. Cerney
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10 ANN M. CERNEY

11 Attorney for Plaintiff

12 DATED: January 5, 2006

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14 MC GREGOR W. SCOTT
15 United States Attorney

16 By: /s/ Bobbie J. Montoya
17 BOBBIE J. MONTOYA
18 Assistant U. S. Attorney

19
20 Attorneys for Defendant

21 OF COUNSEL

22 LUCILLE GONZALES MEIS
23 Chief Counsel, Region IX

24 NANCY M. LISEWSKI
25 Assistant Regional Counsel

26 U. S. Social Security Administration

27
28 Re: ROBERT B. BLUM v. JO ANNE B. BARNHART, Case No. 2:04-CV-00911-KJM, Stipulation and Order Settling
Attorney's Fees and Costs Pursuant to the Equal Access to Justice Act

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4 **ORDER**

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6 **Upon stipulation of the parties, Counsel for Plaintiff in CASE NO. 2:04-CV-00911-KJM,**
7 **ROBERT B. BLUM v. Jo Anne B. Barnhart, is hereby awarded attorneys' fees in the amount**
8 **of \$5,600.00 and costs in the amount of \$150.00, pursuant to the Equal Access to Justice Act.**

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10 **APPROVED AND SO ORDERED.**

11 **DATED: January 10, 2006.**

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14 **UNITED STATES MAGISTRATE JUDGE**

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